

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

JULIE BOSTON

PLAINTIFF

v.

CAUSE NO. 1:18CV391-LG-RPM

ROBERT WILKIE

DEFENDANT

ORDER REQUIRING SUBSTITUTION OF PARTY

THIS MATTER IS BEFORE THE COURT sua sponte pursuant to Fed. R. Civ. P. 25(d). This lawsuit was originally filed against Robert Wilkie in his official capacity as Secretary of Veterans Affairs. Denis Richard McDonough was confirmed as the new Secretary of Veterans Affairs on February 8, 2021, and he was sworn in the following day. *See* Secretary of Veterans Affairs, Executive Biographies, Office of Public and Intergovernmental Affairs, <http://www.va.gov/opa/bios/secva.asp>.

The Federal Rules of Civil Procedure provide:

An action does not abate when a public officer who is a party in an official party . . . ceases to hold office while the action is pending. The officer's successor is automatically substituted as a party. . . . The court may order substitution at any time

Fed. R. Civ. P. 25(d). As a result, Denis Richard McDonough is substituted for Robert Wilkie as the defendant to this lawsuit.

IT IS, THEREFORE, ORDERED AND ADJUDGED that Denis Richard McDonough is substituted for Robert Wilkie as the defendant to this lawsuit.

IT IS, FURTHER, ORDERED AND ADJUDGED that the Clerk of Court is directed to substitute Denis Richard McDonough for Robert Wilkie on the docket of this lawsuit.

SO ORDERED AND ADJUDGED this the 14th day of May, 2021.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE